IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPLICATION NO.2064 OF 2004
IN
CRIMINAL APPEAL NO.626 OF 2004

1. Ankush Shankar Kale & anr. Appellants (Org.Accd.Nos. 1 and 2)

Vs.

The State of Maharashtra Respondent

Mr. D.J. Deshmukh for appellants.
Mr. D.S. Mhaispukar, APP for State.

CORAM : S.S. PARKAR & R.S. MOHITE, JJ.
Date : August 16, 2004.

P.C.:

1. Heard. This application is filed for bail pending the hearing of the appeal filed against the order of conviction for offence of murder under Section 302 of IPC by these applicants.

2. Number of injuries were received by the deceased, out of them, as per the medical evidence, five injuries mentioned in column no.17 of the post-mortem report were possible by assault with stone. There was recovery of blood stained stone from the place of incident which was stained with blood group of the deceased. There was fracture of skull also. One absconding accused had allegedly used knife and these applicants had allegedly assaulted the deceased with the stones. There are two eye witnesses to the

incident.

3. Considering the aforesaid evidence on record, the application for bail is rejected. However, in the circumstances of the case the hearing of the appeal is expedited.

(S.S. Parkar, J.)

(R.S. Mohite,J.)